

**LABOR SERVICES DIVISION[875]**

**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 89.14, the Boiler and Pressure Vessel Board amends Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” Iowa Administrative Code.

Subrule 90.7(2) currently sets a \$25 fee for a one-year certificate and a \$50 fee for a two-year certificate. This amendment updates the subrule to reflect statutory changes set forth in 2009 Iowa Acts, House File 720, by establishing a \$100 fee for a new, four-year certificate.

In compliance with Iowa Code section 17A.4(3), the Board finds that notice and public participation are unnecessary because this amendment merely changes the administrative rule to coincide with the statutory change. The Board finds that notice and public participation are impracticable because the statutory change allowing internal inspections every four years is effective July 1, 2009.

Pursuant to Iowa Code section 17A.5, subsection 2, paragraph “b,” subparagraph (2), the Board finds the normal effective date of the amendment should be waived and this amendment should be made effective July 1, 2009, because this change confers a benefit by implementing the four-year inspection schedule described in 2009 Iowa Acts, House File 720.

The Board also submitted this amendment under Notice of Intended Action as **ARC 7865B** to allow for public comment.

The principal reason for adoption of this amendment is to implement legislative intent. No variance provision is included in these rules. Applicable variance procedures are set forth in 875—Chapter 81.

This amendment is intended to implement Iowa Code chapter 89 and 2009 Iowa Acts, House File 720.

This amendment will become effective July 1, 2009.

The following amendment is adopted.

Amend subrule 90.7(2) as follows:

**90.7(2) Certificate fee.** A \$25 fee shall be paid for each one-year certificate, ~~and~~ a \$50 fee shall be paid for each two-year certificate, and a \$100 fee shall be paid for each four-year certificate.

[Filed Emergency 5/28/09, effective 7/1/09]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 6/17/09.